

U.S. Pat. App. Ser. No. 10/720,368
Docket No. 056655/0120421
Amendment and response to 6/13/2006 Office Action

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REMARKS

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Claims 2-4, 6-9, 11-14, and 16-19 are pending in the application. In the Office Action mailed June 13, 2006, claims 3-4, 12-13, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,275,197 (Finell) in view of U.S. Patent No. 6,684,004 (Lau). Claims 2, 6, 8-9, 11, 14, 16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finell in view of Lau and further in view of U.S. Pat. No. 4,924,899 (Po). Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finell in view of Lau and further in view of U.S. Pat. No. 3,147,763 (Morton).

I. Rejections under 35 U.S.C. 103(a)

Claims 3-4, 12-13, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finell in view of Lau. The Applicants respectfully traverse the Examiner's rejections. The Applicant discloses and claims a primary embodiment that differs from the teachings of Finell and Lau in several important respects, most particularly in that the cap and safety valve/stopper of Finell are a single, joined component, while the screw cap and safety valve/stopper of the Applicant may be separate components. In particular, Finell teaches plug 1, which serves as a cap, with valve 15 being permanently located in the top of plug 1 and serving as a stopper (Finell at col. 2, lines 57-59; and Figs 1-4). Valve 15 remains attached to plug 1 at all times, in both the closed and open positions for the valve of Finell. During operation, therefore, *the cap and stopper of Finell are not separately removable and replaceable*. It further appears that Finell never actually contemplates filling or deflating the "sack" through the hole in mouthpiece 2, but rather only provides for inflation operations through conical point 17 at the bottom of valve 15 and deflation operations through exhaust holes 14.

In contrast, in the Applicant's invention, the inflatable may be filled either through the fill hole or through the safety valve. Further, the screw cap and safety valve/stopper may be separate components. During operation of the fill valve for this embodiment, the screw cap may be removed first, with the separate stopper remaining separately removable and insertable. This separate configuration provides a number of advantages to the Applicant's invention. In particular, this configuration allows the stopper to be quickly inserted into the fill hole after

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filling, thus limiting the amount of air that escapes during sealing, since the cap does not need to be screwed on in order to seal the hole. In contrast, if the mouthpiece 2 of Finell were to be used as a fill hole (enabling more rapid filling than through the small valve 15), a fair amount of air would necessarily escape the device of Finell while the cap/stopper combination was being screwed into position. In addition, the separate configuration of this embodiment of the Applicant's invention simplifies the steps required if the fill valve is to be repeatedly opened and closed over a short interval, such as while performing the final stages of filling or making fine adjustments to the fill level of the container, because the safety valve/stopper portion may be quickly and repeatedly removed and then re-inserted into the fill hole, without the need to repeatedly screw and unscrew the cap as would be required by the device of Finell. The two-component configuration of this embodiment of the Applicant's invention further provides the advantage that the safety valve/stopper portion and cap portions are separately replaceable if either becomes damaged, rather than needing to be replaced together as in the device of Finell. This makes the device of the Applicant more cost-effective for the user.

Finell and Lau, whether taken alone or in combination, fail to teach or suggest this aspect of the Applicant's invention. In order to more particularly call out and claim this aspect of the Applicant's invention, the Applicant has herein amended independent claims 3, 12, and 17 to particularly call out that, in the Applicant's invention, while functioning as a removable stopper, *the safety valve is a separate component from the screw cap and the safety valve is accessible through an aperture in the screw cap.* Support for these amendments is found in the Specification at least at page 5, lines 13-18; page 6, lines 8-10, 12-14, and 19-20; page 7, lines 11-17; and in Figs. 3-6. No new matter is added by these amendments.

Because the combination of Finell with Lau does not show a *safety valve that functions as a removable stopper, is a separate component from the screw cap, and is accessible through an aperture in the screw cap,* Finell and Lau fail to anticipate or make obvious the Applicants' invention, as does all other art of record, whether taken alone or in combination. Entry of the amendments and reconsideration and withdrawal of the rejections of claims 3, 12, and 17 as being unpatentable over Finell in view of Lau is therefore respectfully requested.

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Because claim 4 depends from currently amended independent claim 3, which is now in condition for allowance, claim 4 is now in condition for allowance. Reconsideration and withdrawal of the rejection of claim 4 is therefore respectfully requested. Because claim 13 depends from currently amended independent claim 12, which is now in condition for allowance, claim 13 is now in condition for allowance. Reconsideration and withdrawal of the rejection of claim 13 is therefore respectfully requested. Because claim 18 depends from currently amended independent claim 17, which is now in condition for allowance, claim 18 is now in condition for allowance. Reconsideration and withdrawal of the rejection of claim 18 is therefore respectfully requested.

Claims 2, 6, 8-9, 11, 14, 16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finell in view of Lau and further in view of Po. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finell in view of Lau and further in view of Morton. Claims 2 and 6 have been cancelled. Because claims 7 and 8-9 depend from currently amended independent claim 3, which is now in condition for allowance, claims 7 and 8-9 are now in condition for allowance. Reconsideration and withdrawal of the rejection of claims 7 and 8-9 is therefore respectfully requested. Claim 11 has been cancelled. Because claim 14 depends from currently amended independent claim 12, which is now in condition for allowance, claim 14 is now in condition for allowance. Reconsideration and withdrawal of the rejection of claim 14 is therefore respectfully requested. Claim 16 has been cancelled. Because claim 19 depends from currently amended independent claim 17, which is now in condition for allowance, claim 19 is now in condition for allowance. Reconsideration and withdrawal of the rejection of claim 19 is therefore respectfully requested.

II. Conclusion

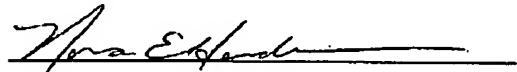
Claims 2, 6, 11, and 16 have been cancelled. Independent claims 3, 12, and 17 have been amended. No new matter is presented by these amendments. The Applicant respectfully submits that claims 3-4, 7-9, 12-14, and 17-19, as amended, are now in condition for allowance, which action is now requested. For this reason, and in view of the foregoing arguments, the Applicant believes that this application is now in condition for allowance, which action is earnestly

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solicited. Should there remain any unresolved issues, it is respectfully requested that the Examiner telephone Norma E. Henderson, Applicants' Attorney, at 603-437-4400, so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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